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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:
PERRY G. CAIMI ET AL.

CASE NO.: BB-1356USPCT

APPLICATION NO.: 10/009,791

GROUP ART UNIT: 1638

FILED: NOVEMBER 5, 2001

EXAMINER: BUI, PHOUNG T.

CONFIRMATION NO.: 5803

CUSTOMER NO.: 23906

FOR: DISEASE RESISTANCE FACTORS

**PRELIMINARY AMENDMENT AND
RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Preliminary Amendment and Response to the Restriction Requirement set forth in the Office Action mailed February 17, 2004 with respect to the above-identified application. Applicants respectfully request entry of the following:

Amendments to Specification begin on page 2 of this paper.

Amendments to Claims begin on page 5 of this paper.

Amendments to the Drawings begin on page 7 of this paper.

Remarks and Response to Restriction Requirement begin on page 8 of this paper.

Figures 1A, 1B and 1C and Figures 2A, 2B and 2C are attached following page 9 of this paper.

A **Correction of Inventorship** Under 37 C.F.R. 1.48(b), along with the requisite fee, is filed simultaneously herewith.